

**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of a utility or plant application  
filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

|                        |                  |
|------------------------|------------------|
| Application Number     | 23016.0002       |
| Filing Date            | January 22, 1999 |
| First Named Inventor   | David WYNICK     |
| Group Art Unit         | 1647             |
| Examiner Name          | S. Gucker        |
| Attorney Docket Number | 23016.0002       |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on  
Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other Postcard \_\_\_\_\_

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37. C.F.R. § 1.103(c) for a period of months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

3. Fees

- a. ☐ Check in the amount of \$ enclosed for the fees designated below.
- b. ☒ Payment by credit card in the amount of \$395.00 for the fees designated below. (Form PTO-2038 enclosed).  
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.
- c. ☐ The Director is hereby authorized to charge the amount of \$ for the fees designated below to Deposit Account No. 14-0629.
- d. ☒ Fees
- ☒ RCE fee required under 37 C.F.R. § 1.17(e) (\$395.00/small entity)
- ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- ☐ Other \_\_\_\_\_
- e. ☒ The Director is hereby authorized to charge any underpayment or credit any overpayment to Deposit Account No. 14-0629.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

|                   |                        |                                   |             |
|-------------------|------------------------|-----------------------------------|-------------|
| Name (Print/Type) | Janel T. Cleveland     | Registration No. (Attorney/Agent) | 53,843      |
| Signature         | <i>Janel Cleveland</i> | Date                              | July 23 '05 |

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8**

I hereby certify that this correspondence and any items indicated as attached or included are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

|                                    |                        |
|------------------------------------|------------------------|
| Name of Person Mailing(Print/Type) | Janel T. Cleveland     |
| Signature                          | <i>Janel Cleveland</i> |
| Date                               | June 23, '05           |

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ATTORNEY DOCKET NO. 23016.0002US  
PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|                               |   |                       |
|-------------------------------|---|-----------------------|
| In re Application of          | ) |                       |
|                               | ) |                       |
| Wynick, David                 | ) | Art Unit: 1647        |
|                               | ) |                       |
| Application No. 09/230,463    | ) | Examiner: Gucker, S.  |
|                               | ) |                       |
| Filing Date: January 22, 1999 | ) | Confirmation No. 4323 |
|                               | ) |                       |
| For: "GALANIN"                | ) |                       |

**REQUEST FOR CONTINUED EXAMINATION**  
**UNDER 37 C.F.R. § 1.114 AND PRELIMINARY AMENDMENT**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

NEEDLE & ROSENBERG, P.C.  
Customer No. 36339

June 17, 2005

Sir:

In response to the Office Action dated March 10, 2005, please amend the above-referenced application as indicated.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 3 of this paper.